



COPY OF PAPERS
CRITICALLY FILED

43

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lang *et al.*
Serial No. 09/853,827
Filed: 05/11/2001
For: AUTOMATIC CONFIGURATION FOR PORTABLE DEVICES

Examiner: TBA
Art Unit: TBA

Commissioner for Patents
Washington, D.C. 20231

Sir:

**DECLARATION UNDER MPEP § 409.03(d) CONCERNING
REFUSAL OF INVENTORS TO SIGN PAPERWORK**

I, Jennifer Rush, being first duly sworn, do hereby depose and say:

On October 10, 2001, I spoke with Alex Lang via telephone. He stated that he refused to sign the paperwork for the above-referenced patent application. He said he felt he had been unfairly treated by KeyNetica, Inc.

On October 10, 2001, I spoke with David Sharp. He indicated that he may sign the paperwork for the above-referenced patent application. I mailed him the paperwork on October 11, 2001 to his home address, which he confirmed verbally. A copy of the letter is enclosed. When I tried to call him on November 5, 2001, his cell phone was no longer accepting incoming calls. I left him a message at his home on November 5, 2001 asking if he had received the paperwork and asking him to call me at work. On November 6, 2001, I called and left another message at his home informing him that we would assume he was unwilling to sign the paperwork if we did not hear from him by Friday, November 9th. As of today, November 13, 2001, we have not been contacted.

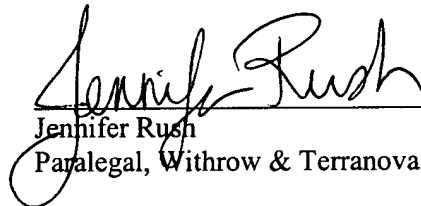
On October 10, 2001, I spoke with Brian Adkins. He indicated that he was out of town, and I should call him back on October 22, 2001. He also indicated that he wanted to speak with Ohad Shvueli of M-Systems Flash Disk Pioneers Limited, which is the successor in interest to the above-referenced patent application. I called Brian Adkins again on November 5, 2001. He said he was unwilling to sign until he spoke to Mr. Shvueli. On November 6, 2001, I called Mr. Shvueli's attorney, Raanan Lerner, who spoke with Mr. Shvueli and subsequently told me that

Ohad was unable to meet with Brian Adkins before the deadline to sign the paperwork, November 13, 2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Further, Declarant saith not.

Date: November 13, 2001
Attorney Docket: 4989-009


Jennifer Rush
Paralegal, Withrow & Terranova, P.L.L.C.